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October 14, 2020

**Via ECF**

Honorable Mary Kay Vyskocil  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: Index No. 20-04008 (MKV)  
AN Frieda Diamonds, Inc. v. Roni Rubinov and New Liberty Pawn Shop, Inc.

Dear Judge Vyskocil:

I am writing in response to the second letter from Mr. Fox of this date. To clarify Mr. Fox's misrepresentation, my request to the Court for an extension of time was made prior to the due date, and thus was timely, and I did appreciate Mr. Fox's courtesy on consent. At that time, I offered to stipulate to give him additional time, which he then chose not to take me up on the offer. Now, the situation is different. Mr. Fox's request to the Court for an extension of time is untimely.

By way of background, the Trustee has obtained a \$1.2 million dollar judgment against my client personally and his business on a Bankruptcy technicality (which in any case was improperly adjudicated and the subject of this appeal), which essentially has ruined my client's personal life. The Trustee locked down the New Liberty bank account and garnished a \$150,000 Economic Injury Disaster Loan, protected by the New York AG, which I pointed out, but he took the money anyway. See enclosed. This is effectively choking Mr. Rubinov's business. The Trustee even had the Sheriff serve notice of selling the assets of the business, which was called off only on the eve of a bankruptcy filing by New Liberty. See enclosed. He further refuses to release the bank account so that at least New Liberty can process day to day transactions. See enclosed.

Thus, the Trustee has relentlessly and without concession destroyed my client's life's work and life's savings. Now, he's late on his filing and has made an untimely extension request. Any extension is to the great prejudice of my client. Further, Mr. Fox admits that Rule 8018

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governs and that his brief is untimely. The Court still has the record before it and can adjudge if the arguments made in my brief are valid or not without the Trustee's reply.

For the forgoing reasons, Roni Rubinov and New Liberty Loans respectfully request that the Court deny Mr. Fox's untimely request for an extension of time.

Thank you for your consideration.

Very truly yours

A handwritten signature in black ink, appearing to read 'Akiva Shapiro', with a long, sweeping horizontal line extending to the right.

Akiva Shapiro, Esq.

Encls.

cc. Leo Fox, Esq. via ECF